

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

March 10, 1997 LB 249

people of the state and encourage temperance in the consumption of alcoholic liquor. I recognize that there may be other parts of that section 2. But the way the wording is, it certainly seems that it could be understood to mean something very different in Section 2 and in Section 4. And I would just like to raise that issue and see if maybe we could look at something between now and Select File that may be a little clearer. Is that something that you would be agreeable to doing?

SENATOR SCHELLPEPER: Yes, Senator. Basically, what we did with this section, we're just implementing 1984 law, because that was declared constitutional. So we're trying to get back there and do what is constitutional. We took the wording out of the 1984 law. Now if you have a problem with that wording, we can certainly take a look at it before Select. But we don't have a problem with that. I see your concern when it says "promoting". There's probably a different word we could use there.

SENATOR PREISTER: Okay.

SENATOR SCHELLPEPER: But we'd be glad to do that.

SENATOR PREISTER: Thank you. I have one other area that I'd like to ask a question on.

SENATOR SCHELLPEPER: What page are you on, Senator?

SENATOR PREISTER: Page 12 of the bill itself. And I believe it's in 5316, it's lines 20 through 23. And it basically here is vesting all of the authority in the State Liquor Control Commission and excluding the local municipality from any authority.

SENATOR SCHELLPEPER: Senator, there again that's because of the Supreme Court rulings, and that's what they have basically said, that's the way we have to do it.

SENATOR PREISTER: That was my question,...

SENATOR SCHELLPEPER: That's...